

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
LAWANNA BROCK AND)
RONDAL BROCK,)
)
Defendant.)

No: 3:06-CR-73
(PHILLIPS/SHIRLEY)

MEMORANDUM AND ORDER

This matter is before the undersigned pursuant to 28 U.S.C. § 636(b)(1)(A) and by the Order [Doc. 100] of the Honorable Thomas W. Phillips, United States District Judge, for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. The government's Motion for Revocation of Release Pending Trial for Defendants Lawanna Brock and Rondal Brock, or Alternatively, for Additional Conditions of Release [Doc. 88] is presently pending before this Court.

Defendants were severed prior to Defendant Lawanna Brock's trial. [Doc. 96]. At trial, Lawanna Brock was found guilty as to Counts 1 and 3 through 6. [Doc. 114]. After judgment was entered, the Honorable Thomas W. Phillips made a pre-sentence ruling regarding Defendant Lawanna Brock's custodial status. Judge Phillips determined that Defendant Lawanna Brock would remain on bond while awaiting sentencing. Her conditions of release were modified to include no communication with or intimidation by the defendant of any witnesses who testified for the prosecution at trial. In light of Judge Phillips's ruling and the jury's verdict, the government's pre-

trial motion for revocation of release pending trial [Doc. 88] is **DENIED as moot** as to Defendant Lawanna Brock.

Defendant Rondal Brock is presently awaiting trial, therefore the government's motion is not moot in regards to him. [Doc. 104]. In the motion, filed May 4, 2007, the government moves for revocation of his release pending trial, or, alternatively, additional conditions of release. [Doc. 88]. In support thereof, the government states that it has obtained evidence that Defendant Rondal Brock engaged in criminal activities while on bond. As an alternative to revoking his bond, the government requests that the conditions of his release be modified to include mandatory drug testing.

Defendant Rondal Brock replied, on May 7, 2007, to the government's motion by stating that he does not oppose drug testing and by denying the allegations stated by Geneve Renee Gent, which were presumed to be the basis for the government's allegations of criminal activities. [Doc. 92]. On May 8, 2007, Assistant United States Attorney Greg Weddle informed the Court that the government agreed that Rondal Brock could remain out on bond with the modifications requested within its motion. On May 14, 2007, Defendant Rondal Brock entered into a consent to modify conditions of release, adding mandatory drug testing to his bond conditions. [Doc. 105]. Accordingly, this Court finds that the government's motion for revocation of release pending trial [Doc. 88] is **DENIED** as to Defendant Rondal Brock, but **GRANTED in the alternative**, setting additional conditions of release. In accordance with the consent to modify the conditions of release [Doc. 105], Defendant's earlier bond [Doc. 26] is hereby modified to include the new condition of mandatory drug testing.

Accordingly, the Court finds that:

(1) The government's Motion for Revocation of Release Pending Trial for Defendants Lawanna Brock and Rondal Brock, or Alternatively, for Additional Conditions of Release [**Doc. 88**] is **DENIED as moot as to Lawanna Brock;**

(2) The government's Motion for Revocation of Release Pending Trial for Defendants Lawanna Brock and Rondal Brock, or Alternatively, for Additional Conditions of Release [**Doc. 88**] is **DENIED as to revoking Rondal Brock's bond; and**

(3) The government's Motion for Revocation of Release Pending Trial for Defendants Lawanna Brock and Rondal Brock, or Alternatively, for Additional Conditions of Release [**Doc. 88**] is **GRANTED as to setting additional conditions of release on Defendant Rondal Brock.**

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge